

#### IV. REMARKS

In the Office Action, claims 1-5 and 7-12 were rejected under 35 U.S.C. 102 as being anticipated by Cushman (US 6,150,703) for reasons set forth in the Action.

Claim 6 was said to have allowable subject matter.

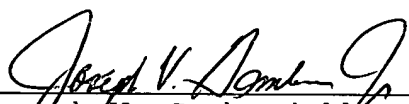
In this response, the subject matter of claim 6, as well as subject matter of claim 2, from which claim 6 depends, has been inserted into claim 1 and also into independent claim 12. Both claims 2 and 6 have been canceled in view of the inclusion of their subject matter into claim 1 from which they previously depended. Also, the language of claims 1 and 12 is amended to define more clearly that the first area is that area over which the conducting layers and the piezoelectric area extend. The amendatory language also specifies that the opening in the dampening material layer uncovers, at most, the active area (support shown in Figs. 8a, 8b, and 8c).

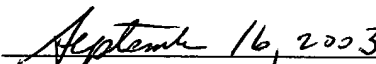
The amendment to both independent claims 1 and 12 is believed to overcome the rejections under 35 U.S.C. 102 by virtue of the foregoing clarification, and by the inclusion of the allowable subject matter of claim 6. Cushman does not show the invention as is now claimed. Accordingly, claims 1 and 12, as well as the claims depending from claim 1 are believed to be allowable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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Date September 16, 2003

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